

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3870

IN THE MATTER OF:

Served December 23, 1991

Application of MALEK INVESTMENT,)
INC., Trading as MONTGOMERY AIRPORT))
SHUTTLE for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-91-45

By application accepted for filing December 19, 1991,¹ Malek Investment, Inc., trading as Montgomery Airport Shuttle (MAS or applicant), a Maryland corporation, seeks a Certificate of Authority to transport passengers, together with baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

MAS proposes to initiate operations using three owned vehicles having a manufacturer-designed seating capacity of less than 16 passengers each. Applicant's proposed tariff contains per-capita rates for transportation from specified hotels in Montgomery County, MD, to Washington National Airport and Washington Dulles International Airport.

MAS's application includes information regarding, among other things, its corporate status, facilities, vehicle maintenance arrangements, proposed tariff, finances, and regulatory compliance record. The application is available for inspection at the office of the Commission during its regular business hours.

In determining whether to grant or deny an application for a Certificate of Authority, the Compact at Title II, Article XI, Section 7 requires that the Commission determine whether an applicant is fit, willing, and able to perform that transportation properly and conform to the provisions of the Compact and the Commission's rules, regulations, and requirements and that the transportation is consistent with the public interest. Pursuant to Commission Rule No. 6, this order and fulfillment of its requirements will provide notice of MAS's application for a Certificate of Authority.

THEREFORE, IT IS ORDERED:

1. That Malek Investment, Inc., trading as Montgomery Airport Shuttle shall publish once in a newspaper of general circulation in the Metropolitan District, notice in the form prescribed by the staff of the Commission, no later than Monday, January 6, 1992.

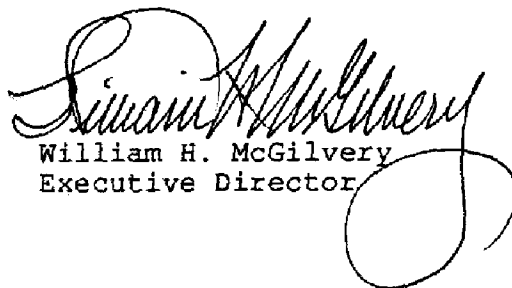
¹See Order No. 3867, served December 19, 1991, in Case No. FC-91-01.

2. That Malek Investment, Inc., trading as Montgomery Airport Shuttle shall file with the Commission, no later than Friday, January 24, 1992, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That any person wanting to protest the issuance of a Certificate of Authority to Malek Investment, Inc., trading as Montgomery Airport Shuttle, shall do so in accordance with Commission Rule No. 13 and Regulation No. 54-04(a), and any person wanting to comment on this matter, other than by protest, shall do so in writing, in accordance with Regulation No. 54-04(a), by filing such protest or comment at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Friday, January 24, 1992, and shall simultaneously serve a copy of such protest or comment on applicant's representative, Richard S. Stern, Esquire, 419 Seventh Street, N.W., Suite 201, Washington, DC 20004.

4. That any person seeking a formal oral hearing on this matter shall request one in accordance with Commission Regulation No. 54-04(b) no later than Friday, January 24, 1992, and shall simultaneously serve a copy of such request on applicant's representative, Richard S. Stern, Esquire, 419 Seventh Street, N.W., Suite 201, Washington, DC 20004.

FOR THE COMMISSION:


William H. McGilvery
Executive Director